



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Attorney Docket No. 2008\_1236  
Brian A. JOHNS et al. : **Confirmation No. 7724**  
Serial No. 10/597,902 : Group Art Unit 1625  
Filed August 11, 2006 : Examiner David K. O'Dell  
2-OXONAPHTHYRIDINE-3- : **Mail Stop: RCE**  
CARBOXAMIDES HIV INTEGRASE  
INHIBITORS (AS AMENDED)

**PRELIMINARY REMARKS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner denied entry of Applicants' last Amendment filed December 14, 2009 on the basis that it does not simplify issues on appeal.

The Examiner also indicated in a typed note at the bottom of the page that the application contains claims to a nonelected invention which must be cancelled.

Applicants disagree with the Examiner's position that the last Amendment does not simplify issues. Applicants have clearly limited the scope of the claimed compounds to define over the cited art.

Applicants also disagree with the Examiner's requirement to cancel all nonelected claims. The last Action indicated that claims 20-21, 28-29, 35, 39, and 40 were withdrawn. Claims 20-21 are method of treatment claims dependent upon the compounds of claim 15. These claims should be rejoined upon allowance of claim 15. Claims 28-29 are method of treatment claims dependent upon the compounds of claim 15 with another agent. These similarly should be rejoined. Claim 35 is another method claim requiring a compound of claim 15. This claim should be rejoined. Claim 39 is another method claim which should be rejoined. Claim 40 is a composition claim dependent upon claim 36 requiring another agent. There is no basis for requiring restriction of such claim if claim 36 is allowable.